



STK-077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not Yet Assigned
Group : 1643
Applicants : Hermann Oppermann, et al.
Serial No. : 09/374,936
Filed : August 16, 1999
For : MODIFIED PROTEINS AND DNAs OF THE
TGF- β SUPERFAMILY, INCLUDING MODIFIED
MORPHOGENIC PROTEINS

New York, New York
March 10, 2000

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

This is in response to the September 10, 1999
Notice to File Missing Parts ("Notice"), a copy of which
is enclosed herewith.

Applicants concurrently file herewith a
petition for a four-month extension of time for
responding to the Notice and have paid the required

extension fee. 37 C.F.R. §§ 1.17(a)(4) and 1.136(a).

With the extension, the time for responding is extended up to and including March 10, 2000.

To satisfy the requirements of the Notice, applicants enclose a Declaration and Power of Attorney signed by the inventors in compliance with 37 C.F.R. § 1.63 and enclose a check for \$130.00 in payment of the outstanding surcharge.


The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this response is enclosed.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicants
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I Hereby Certify that this
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44

Docket No. STK-077

Examiner : Not Yet Assigned
Group Art Unit : 1643
Applicants : Hermann Oppermann, et al.
Application No. : 09/374,936
Filed : August 16, 1999
For : MODIFIED PROTEINS AND DNAs OF THE TGF- β
SUPERFAMILY, INCLUDING MODIFIED
MORPHOGENIC PROTEINS

Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

New York, New York
March 10, 2000

TRANSMITTAL LETTER

Sir:

Transmitted herewith: [X] Response to Notice to File Missing Parts; [X] Copy of Notice to File Missing Parts; [X] Executed Declaration and Power of Attorney; [X] Petition for Three-Month Extension of Time; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 18 =	\$
INDEPENDENT CLAIMS	-	** =	X \$ 78 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$260 =	\$

* If less than 20, insert 20.

TOTAL \$

** If less than 3, insert 3.

[] A check in the amount of \$_____ in payment of the filing fee is transmitted herewith.

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[X] The following extension is applicable to the Response filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$380.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$870.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [X] \$1,360.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,850.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- [X] A check in the amount of [] \$110.00; [] \$380.00; [] \$870.00; [X] \$1,360.00; [] \$1,850.00 in payment of the extension fee is transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- [] Please charge the [] \$110.00; [] \$380.00; [] \$870.00; [] \$1,360.00; [] \$1,850.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.



James F. Haley, Jr. (Reg. No. 27,794)
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Karen Mangasarian (Reg. No. 43,772)
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Claire Saintil


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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/374,936 08/16/99 OPPERMANN

H STK-077

021323

0242/09

TESTA HURWITZ & THIBEAULT
HIGH STREET TOWER
125 HIGH STREET
BOSTON MA 02110

NOT ASSIGNED

1643

DATE MAILED:

09/16/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☐ non-small entity is \$ 130

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 205 1200

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